**USCCR ORAL TESTIMONY**

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*Intro org, mission, community*

It is an honor to join today's critical hearing, in particular with survivors and family members of hate violence victims. Thank you so very much for your resilience, your commitment to change, and for speaking up.

My name is Suman Raghunathan, and I'm the Executive Director of South Asian Americans Leading Together or SAALT. We are a national, nonpartisan racial justice organization fighting for the civil rights of South Asians in the US. Our ultimate vision is dignity and full inclusion for all.

We fulfil our mission by advocating on issues impacting our communities at the federal, state and local levels; strengthening grassroots organizations as catalysts for change; and informing and influencing the national debate on issues and trends impacting our communities.

South Asians are the second most rapidly growing demographic group in the US, numbering over 5 million. The South Asian American population has more than doubled since 2000. We are a largely immigrant community, and roughly 1 in 3 South Asians are Muslim. Our communities are increasingly in the cross hairs of race, religion and immigration. All these factors make our communities and many others the disproportionate targets of violence, regardless of our actual religion or citizenship status.

SAALT was born in the aftermath of September 11, 2011 in response to the violent backlash and divisive policies aimed at South Asian, Muslim, Sikh, Hindu, Arab, and Middle Eastern American individuals, communities, and institutions. Our work has grown to include rapid response efforts in the wake of hate violence, to anticipating and working to prevent hate violence through an evolved field and policy strategy. We do this in partnership with the National Coalition of South Asian Organizations (NCSO), a network of 62 grassroots South Asian organizations around the country. The NCSO informs us of the realities our communities are facing everyday on the ground, which in turn informs our strategy for developing national responses through executive and legislative recommendations.

SAALT is proud that our work and approach hinges upon working with community stakeholders on the frontlines to develop policies that prevent and respond to hate violence and hate crimes.

*(Urgency of this moment)*

*This is a critical moment for South Asian, Muslim, Sikh, Hindu, Arab, and Middle Eastern communities as we see our nation become a melting pot of hate rather than a melting pot of diversity.*

This pot is being stirred by the White House, key agencies in the federal government and a resurgent white supremacist movement that is amplified and even encouraged by an administration that has already demonstrated its commitment to operationalizing a white supremacist agenda. South Asian,

Muslim, Arab, Sikh, Hindu, Middle Eastern communities increasingly and disproportionately exist in the cross hairs of hate, actively spurred by the anti-immigrant, anti-Muslim, anti-people of color policies advanced by the current administration, including the Department of Justice.

*Indeed we are in the throes of a troubling and divisive surge in hate violence targeting South Asian, Muslim, Sikh, Hindu, Arab, and Middle Eastern communities approaching historic levels and exceeding those we saw immediately after the events of September 11th, when Balbir Singh Sodi in Mesa AZ became the first violence victim of the post 9/11 era. SAALT has been tracking this issue for nearly a decade, since before the FBI updated its own hate crime categories – and it is becoming tragically clear this wave of hostility and violence will ebb anytime soon. our latest report Communities on Fire points to a different and more sinister melting pot: one of hate and white supremacy increasingly being stirred. Indeed, the tiki torch — as seen in the white supremacist rally in Charlottesville, Virginia — appears to be supplanting the Statue of Liberty as the symbol of this nation, as white supremacist groups proliferate and are enabled by the policies, pronouncements and actions of the Trump administration. These symbols were juxtaposed on the front cover of our report, which documented historic rates of hate violence and xenophobic political rhetoric during the first year of this administration.*

*We are equally affected by a devastating and rising tide of anti-immigrant, anti-refugee and anti-asylee policies such as the 'Muslim Ban', the Department of Justice's lawsuit against California's commitment to protecting all of its residents through so-called 'Sanctuary Cities' policies, the recission of DACA, and federal efforts to erode protections against racial profiling. The damaging impact of these policies are bolstered by poisonous anti-immigrant rhetoric emanating from the federal government, including the White House. Indeed, the Department of Justice's commitment to targeting South Asian, Muslim, Sikh, Hindu, Arab, and Middle Eastern immigrant communities is in turn influencing state-level anti-immigrant policies. These policies and rhetoric explicitly target our communities as un-American, identify us as undeserving of core rights and protections, and as worthy targets of violence. As a result, our communities are increasingly questioning our very place in our nation.*

SAALT documented 302 incidents of hate violence and xenophobic political rhetoric aimed at South Asian, Muslim, Sikh, Hindu, Middle Eastern, and Arab Americans in the year after President Trump was elected. This was an **over 45% increase from our previous analysis** *Power, Pain, Potential* that documented the year leading up to the 2016 presidential election.

*We have seen firsthand the impact of the White House's bully pulpit and its policies' attacks on our communities, often to devastating, sometimes fatal effect. Among other disturbing trends, we found* ***one in every five perpetrators of violence explicitly referenced President Trump, a Trump administration policy (like the Muslim ban), or a Trump campaign slogan (like "Make America Great Again") while committing the act of violence. 82% of the violence recorded was motivated by anti-Muslim sentiment.*** *Acts of violence include physical assaults, verbal and written threats, and property damage, including arson attacks on houses of worship. The two* ***main targets of violence*** *were women wearing hijabs and youth—both in their schools and on the streets of their communities. And we know*

*the incidents reported are only the tip of the iceberg:* **According to the National Crime Victimization Survey, the under-reporting of hate crimes to the FBI is estimated at a factor of over 40:1.**

The FBI itself only updated is categories to reflect the current reality of hate violence in 2015. Indeed, it took tremendous policy and advocacy work of the Sikh American community in the aftermath of the 2012 shooting at the Oak Creek, WI Gurdwara in 2012 by a known white supremacist who claimed the lives of six worshippers, that the FBI reporting form now includes categories for hate crimes perpetrated against Sikh, Hindu, and Arab Americans.

While current political leadership can be tied to the troubling uptick in violence, we know longstanding systems and structures underpin this violence

- White supremacist groups are on the rise –Well before Charlottesville, our nation saw a resurgent white supremacist movement. From 2014-2015, Klan groups tripled in number and in the last year, the largest growth in hate groups occurred among those who identify as anti-Muslim, according to the Southern Poverty Law Center. Even more troubling is the reality that thought leadership from such groups is guiding this administration's policies, not to mention its rhetoric.
- The legacy of policies and infrastructure that racially profile our communities make us more vulnerable to hate violence and sow mistrust with law enforcement. Programs like the Countering Violent Extremism Program and Secure Communities which have returned with a newer and more insidious approach in this administration only worsen this.
- There has always been a relationship between political rhetoric and the actual policies that are born from this rhetoric and we are now confident in that relationship and there is certainly a connection between these policies and the violence against our communities. Our communities have always known that, but finally the data has caught up to that reality.
- The words and actions of our elected officials and leaders wield tremendous power

In the wake of deep under reporting of hate violence incidents and a lack of data on our communities, SAALT has felt it was incumbent upon us to document and analyze the scope of hate violence and xenophobic political rhetoric impacting our communities. At SAALT, we understand that **a violent incident must meet a very high legal threshold to be classified as a hate crime, and that the hundreds and thousands of incidents that involve hate, bias, intimidation, and discrimination that do not amount to a hate crime actually paint the full picture of violence aimed at our communities**. As such, we have included the full range of incidents of hate violence and xenophobic political rhetoric in our documentation efforts over the last decade. We define incidents of hate violence as attacks that appear to involve hate or malice toward our communities and threaten safety and freedom. These incidents are further classified into categories of physical assaults, verbal or written assaults or threats, and property damage. The term xenophobic political rhetoric represents biased language by those in positions of

power or influence such as elected officials, public figures, law enforcement agents, hate groups, and mass media. Biased language includes any racist, anti-immigrant, and anti-Muslim language.

**Silence on white supremacist agenda, conflating tough on crime with tough on Muslims**

The current administration has made it very clear that it has no interest in holding white supremacist organizations accountable by eliminating the one group that monitored white supremacist activity from the Countering Violent Extremism program. Rather, the administration has invited white supremacist leaders into its highest ranks to interpret and create policies that racially and religiously profile our communities – such as workplace raids, denaturalization efforts, increased border and interior enforcement, and deportations. This administration has also shifted focus from holding law enforcement accountable for documenting and addressing hate violence in our communities. Some of the earliest executive orders from this administration labeled as "tough on crime" came on the heels of Muslim Ban 1.0 and directed federal agencies to develop an executive branch strategy to prevent violence against Federal, State, tribal, and local law enforcement officers. Another component of these executive orders was the creation of a "Task Force on Crime Reduction and Public Safety," a severe departure from the 2014 White House Interagency Task Force on Hate Violence. This new task force purportedly focuses on addressing "hate crimes" through a dedicated subcommittee subsumed within the broader Task Force focus of curbing "illegal" immigration and drug trafficking. This administration's efforts to embolden local police departments in using the full force of the law to criminalize immigrant communities has directly undermined efforts to build trust between law enforcement and our communities, a crucial component of accurately reporting, addressing, and preventing hate crimes. This Task Force and subcommittee advance the flawed narrative of immigrants as perpetrators of crimes and ignore the growing problem of white supremacist violence targeting our communities.

**Elimination of CRS**

This administration recently zeroed out the budget of the Department of Justice Community Relations Service (CRS), an entity originally established under the Civil Rights Act. CRS played a key role in helping mediate conflict and violence based in racial discrimination. CRS' responsibilities under the Civil Rights Act have been intentionally separate from the Department of Justice to preserve autonomy and build community trust without always defaulting to prosecutions. This move is yet another example of how this administration is building walls between communities and law enforcement.

**IACP and collaboration with responsible law enforcement leaders**

SAALT, through its membership on the Advisory Committee of the International Association of Chiefs of Police helped construct a resolution passed by the IACP at the end of 2017 called "Increasing Law Enforcement Awareness of and Enhancing Responses to Hate Crimes and Crimes Motivated by Bias." The resolution encourages law enforcement to take reports of hate crimes and bias incidents seriously, forge meaningful partnerships with communities, and proactively address hate crimes and bias incidents. In addition to efforts at the federal level, more law enforcement agencies and associations should make such commitments as well as introduce and mandate anti-racism trainings for law enforcement officers.

**Interagency Task Force**

The Obama Administration constructed a White House Interagency Task Force on Hate Violence from a prototype that SAALT provided, which was modeled after the Department of Justice National Church Arson Task Force. During the two years of the Task Force's existence, SAALT played a key stakeholder role along with our South Asian, Muslim, Sikh, Hindu, Middle Eastern and Arab American (MASA) allies to ensure that our communities' unique concerns, history of hate violence, and relationships to law enforcement were prioritized.

The federal government, through the **creation of an independent and autonomous entity,** can take **three important steps to protect communities** impacted by the post 9/11 backlash and remain targeted by the current administration's policies. It is critical that this entity have the power to hold this and any administration accountable for it policies and actions that result in the increase in hate violence against our communities.

1) **Prioritize post 9/11 and current levels of hate violence as an issue of significant concern to the federal government. A publicly communicated message can have a valuable impact.** South Asian, Muslim, Sikh, Hindu, Middle Eastern, and Arab communities have and continue to face backlash, which is often passively excused based on unsubstantiated fear around national security. This is especially important given the prevalence of xenophobic political rhetoric targeting our communities. SAALT's recent report tracks the significant increase of hateful political speech in the last year as well as how such rhetoric fuels an atmosphere of hostility and hate violence against our communities. By prioritizing the issue of hate violence against our communities publicly, the federal government would be relaying that our communities are valuable and that perpetrators of hate violence will be fully prosecuted. But, this first requires the federal government to stop painting our communities as worthy of suspicion and violence through its own policies.

**2) Ensure preventative measures are responsive to the needs of our communities.**

a. The federal government should **direct U.S. Attorney's Offices around the country to create local taskforces** that engage with local community organizations and leaders within Arab, Hindu, Middle Eastern, Muslim, Sikh and South Asian communities to develop prevention plans and risk assessment tools.
b. **Partner with community organizations to create training programs and awareness campaigns that are culturally, linguistically and religiously appropriate. Train local law enforcement and community leaders around prevention detection.** The Department of Justice's decision this year to entirely eliminate the Community Relations Service and close the Office on Access to Justice directly undermines such efforts.
c. **Establish liaisons for community organizations and leaders to connect with**, allowing for the free flow of information about community fears and threats, data collection and research. The liaisons can provide technical assistance, trainings and support around hate violence to members of our communities.
d. **In partnership with community based organizations, create public education materials to** inform members of our communities of their rights, increase awareness of threats and access preventative services. Such materials should be linguistically, culturally and religiously appropriate.

e. Provide cultural, linguistic and religious competency trainings to local law enforcement and those engaging with local communities to foster collaboration, communication and effectiveness.

3) Responses to hate violence should be coordinated, comprehensive and accommodate the specific needs of our communities.

   a. Create a **national hotline with an intake process** to receive complaints that provides in language options.
   b. With input from South Asian, Muslim, Sikh, Hindu, Middle Eastern, and Arab communities develop **rapid response plans and protocols to address hate violence**.
   c. Provide **Know Your Rights trainings to our communities**, create public education materials and train local, state and federal law enforcement on cultural, linguistic and religious barriers to reporting hate crimes.
   d. Mandate the collection of hate crimes data by all national and local law enforcement agencies and ensure that tracking systems allow for the identification of patterns nationwide.
   e. Ensure that internal policies are in place to address the ancillary needs of hate violence victims and their families that are culturally and linguistically competent and accessible. These needs include mental health services, immigration assistance, tools for rebuilding and responding to trauma.
   f. Explore restorative justice approaches that over time help reduce the overreliance on the criminal justice system, which disproportionately criminalizes communities of color.

**Congressional legislation to standardize the current patchwork of state hate crimes laws**

**Lastly, legislation from Congress is also critical to closing the gaps among varying state statutes and existing hate crimes laws.** Last year, the Senate Judiciary Committee held a hearing on "Responses to the Increase in Religious Hate Crimes." No Muslim or Arab led organizations or leaders were invited to testify even though the FBI had just released its hate crimes data months prior showing a 67% increase in anti-Muslim hate crimes from the previous year. As a result, the legislative recommendation from that hearing known as the "**Protecting Religiously Affiliated Institutions Act" fails to effectively address the needs of South Asian, Muslim, Sikh, Hindu, Arab, and Middle Eastern communities facing hate violence. The potential increase for police presence within and surrounding religious institutions through this legislation is detrimental to our communities** because of our long-standing concerns around increased surveillance, which often happen through religious institutions, currently through mosques and the Countering Violent Extremism program. Moreover, our latest report shows that **physical assaults and verbal/written assaults to individuals** from South Asian, Muslim Sikh, Hindu, Arab, and Middle Eastern communities **outnumber threats to and damage or destruction of religious institutions in these communities by a factor of approximately 2:1.**

**We have maintained that the NO HATE Act is the strongest piece of legislation that addresses the spike in religious hate crimes and provides a restorative justice component as well**. Congress must

pass the NO HATE Act, the only comprehensive legislation proposed to establish incentives for state and local law enforcement to submit credible hate crime reports, create grants for state-run hate crime hotlines, create a federal private right of action for victims of hate crimes, even those who live in states without hate crimes laws, and allow for judges to require community service or educational programming for individuals convicted under the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act.

Congress must also pass affirmative anti-racial profiling legislation. This includes passing the End Racial and Religious Profiling Act and supporting Sanctuary City policies with increased funding so that our communities feel protected instead of targeted by our government and law enforcement.

**I'll end with this important acknowledgement: Deah Barakat.**

**Khalid Jabara.**

**Srinivas Kuchibotla.**

**Nabra Hassanen.**

**Harnish Patel.**

**I believe the families of these individuals murdered in incidents of hate violence in the last two years alone are quite clear there is no hoax with respect to hate violence today.**